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ABSTRACT

Designed to make the U.S. Constitution come alive for students, this guide uses real-life examples taken from the daily newspaper to illustrate the document's day-to-day applications. Activities are presented to familiarize students with the Constitution's content as well as with its continuing impact on U.S. life. Newspaper-related activities are divided for use in elementary, middle, and high school grades. Each section includes one full lesson and a class handout, plus a list of additional activities. Students need a copy of the U.S. Constitution and access to newspapers to complete most exercises. Teachers using this guide may need to prepare some background classroom discussion on the Constitution and Bill of Rights before introducing the materials. The guide has been created as a model for teachers to follow in creating their own newspaper-related activities on the Constitution and other law-related issues. (DB)

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Using the Newspaper to Teach About the Constitution

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by

Julie C. Morse

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Teaching About the Constitution

This curriculum has been prepared in anticipation of the United States Constitution's bicentennial anniversary in September 1987. The purpose of the guide is to make the Constitution come alive for students, by using real-life examples—taken from the newspaper—of the document's day-to-day applications. The activities are designed to familiarize students with the Constitution's content as well as with its continuing impact on American life.

The newspaper-related activities that follow are divided for use in elementary, middle and high school grades. Each section includes one full lesson and class handout, plus a list of additional activities. Students will need a copy of the Constitution and access to newspapers to complete most exercises. Teachers using this guide may want to hold some background classroom discussion on the Constitution and Bill of Rights before introducing this material. *Using the Newspaper to Teach About the Constitution* has been designed as a model for teachers to follow in creating their own newspaper-related activities on the Constitution and other law-related lessons. The U.S. Constitution is a rich source for classroom activities; those provided in this curriculum guide are a sample of the many possibilities available.

Isidore Starr, one of the founders of law-related education, once said that as teachers "We must not only cover the material; we must *uncover* it." To that end, this curriculum is dedicated.

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Nancy Beatty Gleeson, Design/Illustration

The Constitution: A Historical Summary

"We the people of the United States, in order to form a more perfect Union, establish justice, insure domestic tranquility, provide for the common defense, promote the general welfare, and secure the blessings of liberty to ourselves and our posterity, do ordain and establish this Constitution for the United States of America."

—Preamble, U.S. Constitution

Never had so few words meant as much to so many. With this simple and straightforward statement of purpose, our nation's early leaders prefaced what would come to be recognized as one of the world's greatest documents—the United States Constitution.

Signed in 1787, our Constitution is by far the oldest "living" document of its kind. The breadth and flexibility of the Constitution make its principles as effective now as when they were first used to govern. The strength and durability of the U.S. Constitution are attested to by the fact that over the course of two centuries only 26 amendments to the original document have been ratified.

In 1781, the existing states ratified a document that would serve to govern: the Articles of Confederation. In January 1786, recognizing inadequacies in the Articles of Confederation, the General Assembly of Virginia proposed a joint meeting of commissioners from all the states to consider better ways to set forth the governing principles of our nation. The first such meeting was not attended by all the states and made little progress toward the goal.

However, in February 1787, the Continental Congress called for a convention of delegates from the states to be held in Philadelphia in May 1787. A majority of states sent delegates to this landmark meeting. Through their combined efforts the Constitution was written and finally agreed upon, as of September 17, 1787. It was forwarded to the states' legislatures for ratification. By June 1788, the needed three-quarters of the states had ratified the Constitution. Shortly thereafter, the Congress adopted a plan to put the Constitution into action.

From that time on, the United States Constitution has served as the supreme law of our land and the framework for our government.

Constitutional Notes and Quotes

The following facts and quotations about the Constitution are offered as background information and discussion starters.

- The United States Constitution is the oldest written constitution in the world.
- The Bill of Rights was submitted at the very first session of Congress, September 1789, and was ratified by the states and officially added as the first amendments to the Constitution in 1791.
- Nearly every nation has a written constitution. Many countries are now governed by constitutions that have been drafted since 1970. A few countries, including Great Britain and Israel, have unwritten constitutions consisting of legislative acts, court decisions and customs never recorded as single documents but still thought of as constitutions.
- The United States has one national constitution and 50 state constitutions.
- The United States Constitution is approximately 7,500 words long.
- The Constitution is divided by sections; 21 of these are grouped under seven organizers called "Articles." The rest are grouped under "Amendments."
- The Constitution was signed in September 1787 by 39 of the country's key leaders, including Benjamin Franklin and George Washington.
- In 200 years the Constitution has had only 26 amendments added to it.

"Our Constitution is so simple and practical that it is possible always to meet extraordinary needs by changes in emphasis and arrangement without loss of essential form."

—Franklin Roosevelt
President, 1933-1945

"The U.S. Constitution provided for a government of laws, not of men."

—Oliver Wendell Holmes
Associate Justice, U.S. Supreme Court, 1902-1932

"There can be no question that our Constitution has proved lasting because of its simplicity. It is a cornerstone and not a complete building; or rather, to return to the old figure, it is a root, not a perfect vine.

—Woodrow Wilson
President, 1913-1921

"I do not believe also in the abolition of free inquiry or that the ideas represented by 'freedom of thought,' 'freedom of speech,' 'freedom of press' and 'free assembly' are just rhetorical myths. I believe rather that they are among the most valuable realities that men have gained and that if they are destroyed, men will again fight to have them."

—Thomas Wolfe
20th century American author

"The fact that a given law or procedure is efficient, convenient and useful in facilitating functions of government, standing alone, will not save it if it is contrary to the Constitution. Convenience and efficiency are not the primary objectives—or the hallmarks—of a democratic government."

—Warren Burger
Chief Justice of the United States, 1969-1986

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References

Lessons on the Constitution
John J. Patrick and Richard C. Remy, Project '87, 1985; order from Social Science Education Consortium, 855 Broadway, Boulder, Colo. 80302.

Law-Related Lessons on the Constitution
Diane Farwick, ed., Constitutional Rights Foundation, 1 Quincy Ct., Chicago, Ill., 1985.

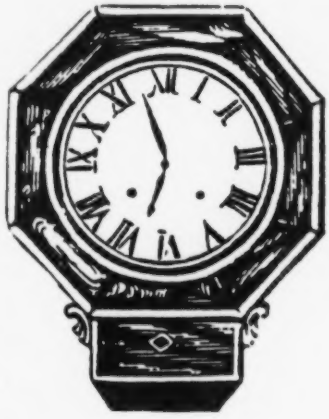
Elementary

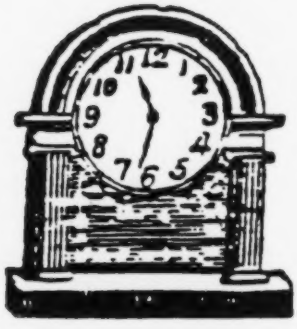
Activity: The Paper Chase

In small groups, race against time to find as many of the following items as possible in today's newspaper. Locate, clip and paste each on a large piece of paper. When you've found all the items you can, raise your hand. Your teacher will review your choices. Groups with the most correct items will be the winners! Good luck!

Find:

- The name of a Supreme Court justice or lower court judge
- The name of a member of the executive branch of government
- The name of a U.S. senator
- The name of a member of the U.S. House of Representatives
- An example of Congress exercising its powers
- An editorial or cartoon about a constitutional issue
- A reference to the U.S. election process
- An example of the President exercising his powers
- Mention of a trial by jury
- An article relating to freedom of the press
- Mention of use of a search warrant
- An example of a right under the Bill of Rights being exercised
- An example of a right under the Bill of Rights being denied or challenged





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Elementary Activities

Have students read Article I of the Constitution to find out how many U.S. senators are called for in our form of government. Over a period of a month or more, have students collect newspaper stories about senators and their work. Post the senators' names and any important related information on the board. At the end of the month, count how many names have been found. Also try this with members of the House of Representatives. Were some of the names unfamiliar to students? How many?

Tell the class to imagine that aliens from outer space have landed and have taken over the United States. The aliens have announced that we can keep only five of the 10 rights guaranteed by the Bill of Rights. Which five will they keep? Ask students why they did or did not keep freedom of the press as one of their rights. Discuss.

Talk about how a bill becomes a law as stated in the Constitution. Then challenge students to find examples in the newspaper of bills currently being proposed, argued or passed. Use the newspaper examples to widen students' understanding of the role of legislators, lobbyists and the President in the legislative process.

Ask students to write a job description for the President of the United States, with information taken from the Constitution. The job description should include such responsibilities as: commanding the armed forces; appointing Supreme Court justices; signing or vetoing congressional legislation; and so on. When the descriptions have been written, watch for newspaper stories about the President. Have class members keep track of the job responsibilities mentioned in each story. What else do these articles tell the students about the President? Discuss.

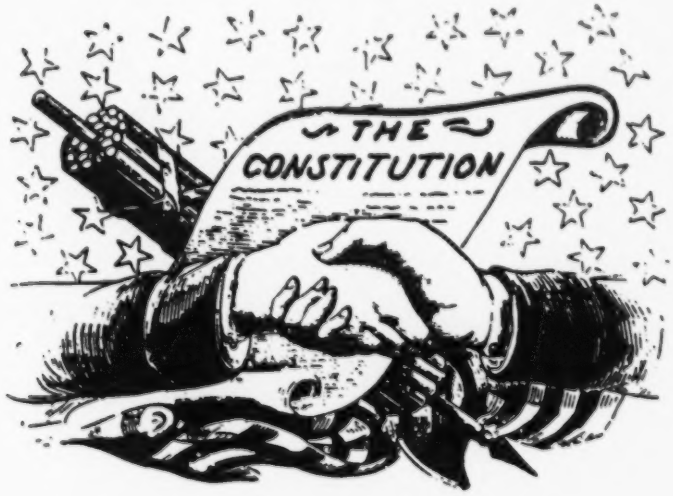
Have students find the amendment to the Constitution that specifies the date on which the President's term ends (noon on January 20). Then have students find at the library (or by calling the local newspaper) news reports for Jan. 20, 1981 and Jan. 21, 1985. Have them read and report on the news coverage for those dates. Or: Have students do research on the amendment changing the date of Inauguration Day; students should explain why such an amendment was needed. Students might also do research on the history of the festivities surrounding Inauguration Day. What is different about the way we honor new Presidents now?

Have students read about the powers of Congress as listed in Article I of the Constitution. Then have them search for examples of these powers in newspaper accounts of legislative events. For example, powers include making rules for government, regulating commerce with foreign nations, calling up the militia, borrowing money, etc. Afterwards, discuss the role Congress plays in our everyday lives.

Find examples in the news of trial by jury. Talk about the importance of this right and the judicial process. Ask students to tell what part the following people play: prosecuting attorney, witness, defense attorney, defendant, plaintiff, judge, jury.

Make a bulletin board display of the three branches of government. Draw a large tree with three major branches—one for each branch of the government. Label each accordingly. Then have students look for names and positions of people in the news associated with each branch. Post those names on "leaves" attached to each branch for an eye-catching reminder of our government's unique structure.

What would life be like without freedom of the press? (Remind students that press freedoms as we know them do not exist in many countries.) To help students understand what life would be like without this essential freedom, ask them to pretend that they are government censors charged with eliminating every story in today's newspaper that is any way critical of our government or the American way of life. Have them draw a red "X" through each such article. What's left? Discuss the key role a free press plays in a democracy.



Middle School

Activity: The Bill of Rights in Action

The following newspaper items describe some situations that relate to rights guaranteed under the Bill of Rights. In the space underneath each item write the name of the right that applies. (Hint: Included are the rights to protection against cruel and unusual punishment, protection against self-incrimination, freedom of the press, freedom to peacefully assemble, freedom of religion, freedom of speech.)

In an effort to curb the abuse and neglect of children placed under state custody, more than 13,000 children will be sent brochures beginning next week to make them more aware of their rights.

Right to: _____

A new state law that took effect Tuesday allows teachers to ask for student volunteers to lead the class in prayer. Youngsters who don't want to pray are allowed to leave the classroom.

Right to: _____

It was a grand week for the Attorney General. At a Monday White House meeting he was part of a hardnosed bureaucratic coalition that won the ouster of 55 Soviet diplomats from the United States. On Wednesday, he tackled what he called the national "explosion of obscenity." And then there was the U.S. Supreme Court. In a speech on Tuesday at Tulane University, he said its decisions were not "the supreme law of the land." The lawyerly statement was shocking to the layman's ear and insensitive to recent legal history.

Right to: _____

So the nation's 15 major construction unions are taking what they deem a national stand. They are fighting back with television commercials, lawsuits and administrative hearings, and generating an unexpected public debate on whether the state went too far in wooing the Japanese.

Right to: _____

Spectators cheer a "rapping contest" at the Rhythm & Blues Festival Saturday evening in Olive Park. More than 10,000 people attended the festival, which runs through Sunday.

Right to: _____

Pace did not testify in his own behalf or present any witnesses or evidence.

Right to: _____

Extra Credit: In addition to the rights listed at the beginning of this activity, several additional rights are guaranteed by the Bill of Rights. See if you can name four other such rights. Try to find examples of those rights being exercised or abused in today's newspaper articles. One bonus point for each right found!

Middle School Activities

Break the class into three groups representing the executive, legislative and judicial branches of government. Explain that each branch claims different powers. Have each group identify its powers by reading the pertinent articles in the Constitution, or, give each group your own written list and ask the group to describe the powers for that branch.

Now read newspaper items (selected ahead of time) and ask which group claims the powers described. For example, a news item about a law being declared unconstitutional would be claimed by the judicial group. Or the appointment of a new ambassador to a foreign country would be claimed by the executive branch. Groups with the most correct "claims" are the winners. Next, have group members find pertinent newspaper examples on their own. Students may bring in articles from home newspapers, or use class newspapers for at least one week after the initial exercise.

• The Constitution only requires that a jury be used in criminal cases. Find examples of such cases in the newspaper. Now look for examples of civil cases (custody battles, traffic violations, divorce cases, etc.). Do students feel that juries should be used for these cases as well? Why or why not? Discuss.

Have students do research on the 19th, 23rd and 26th amendments to the Constitution. Have them imagine they were newspaper editorial writers at the time each amendment was proposed. They should write editorials either for or against the amendments, defending their positions with what might have been popular thought at the time.

Using the newspaper, find examples of constitutional facts in the news (for example, a two-thirds vote of Congress overrides the President's veto; the Supreme Court overturns a lower court's decision). Cut out relevant headlines, captions or paragraphs. Use the examples to make a ditto that asks students to describe how the items relate to the Constitution. Students also should note the article and section in the Constitution that apply. Or have students themselves look through the newspaper, finding and labeling their own examples of the Constitution at work.

Explain that the people of a state or county elect legislators to represent them. These legislators make decisions about issues based on their own knowledge as well as on the wishes of their constituents. Legislators also take into account the arguments of lobbyists and other concerned individuals. Divide the class into legislators, "pro" lobbyists and "con" lobbyists. Have the class examine a familiar legislative issue in the news via a role-playing activity. "Pro" lobbyists should present arguments in favor of the legislation and "con" lobbyists should state opposing positions. Legislators then meet to reach a majority opinion. Afterwards discuss the role-playing activity as a class. Do the students feel the system is fair?

Have students use the newspaper to identify a local, state or national problem (for example, drunk driving). Have them try to create a law to handle the problem. Make sure students read the Constitution to determine the procedure for passing such a law and to ensure that the law does not abridge rights guaranteed by the Constitution.

Given the news of the day as a guide, ask students to think of any problems or concerns in the United States that are not covered by the Constitution that they feel should be. Examples might be equal rights for men and women; a special section on children's rights; rights of immigrants; etc. Have students write their own proposed amendments to the Constitution. Or simply ask the group for possible amendment topics to list on the board and discuss as a class.

Ask students: If there were no Bill of Rights added to the Constitution, how might our lives be different? Students might look for examples of these amendments represented in the newspaper and talk about how the stories would be written differently if these rights were not guaranteed. For example, an article about a peaceful rally to protest a government action might instead end up as a story about police arrests or violence, if we did not have the First Amendment.

Challenge students to write a fictional account of what might happen in such a case, if the rights represented were taken away.

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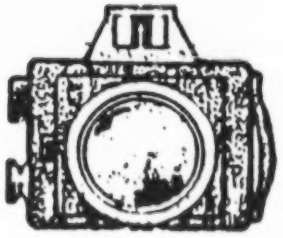
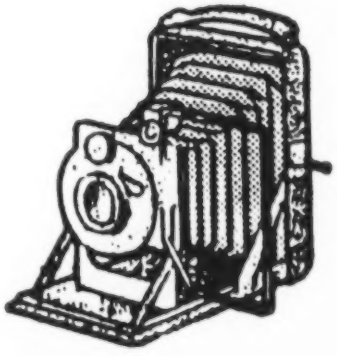
High School

Activity: Take a Stand

Jurors' opinions mixed on film coverage of trials





TRENTON, N.J. (UPI)—Many jurors who served in a series of trials at which news photographers were permitted to take pictures say they favor camera coverage at important trials.

They also believe camera coverage would encourage more people to serve on juries and show the public how the legal system works.

"Photo coverage should be allowed in every case. It's a public event," said Bergen County, N.J., juror Herbert Dunning.

United Press International interviewed 15 of 60 jurors who served in five New Jersey trials at which cameras were permitted on an experimental basis. Of those interviewed, 13 said they were not distracted by the cameras. Eleven said photographers in courtrooms should become a permanent fixture, but all but one wanted to limit [camera coverage] to big trials with widespread community interest.

Cameras have been banned from New Jersey courtrooms since the 1936 Lindbergh kidnap-murder trial when authorities said they created a circus atmosphere. In the experiment undertaken in New Jersey in May, the trials, with one exception—an armed robbery case—involved murder.

For the jurors' protection, the photographers were banned from taking pictures showing the jurors' faces.

Although the majority of those interviewed favored camera coverage of at least some major trials, others opposed the idea.

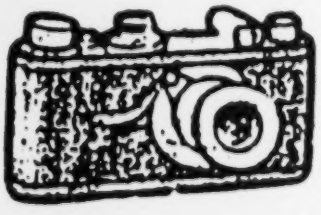
PART I — THE LEGAL BRIEF

Read the above article carefully. After you have finished, answer the following questions on a separate sheet of paper. Then you will be ready to "take the stand" in Part II of this exercise.

1. List the major facts of the story:
2. State the major issue in question form:
3. Identify the opposing points of view:

_____ vs _____

4. Decide which view best expresses your opinion and give supporting reasons:
5. Review others' responses and discuss differences. Agree on one major issue for further investigation.



PART II — TAKE THE STAND

Now that you have analyzed "the case" and have your legal brief before you, you and your fellow citizens in the classroom are prepared to "take the stand."

1. Select a group leader. That person draws a line across the blackboard and at one end writes "for" and at the other end "against." Or use a tape that stretches across the classroom floor.
2. The leader states the major issue of the case in question form (as in Part I, Legal Brief activity. Or, use a question being decided by a state or federal court or currently being debated in the news.) Each member of the group then "takes the stand" on the issue at the point along the line that corresponds with his or her view. A person may stand at either end of the line or at any point in between, the exact middle being "undecided." When all persons have taken their positions along the line, the leader begins the process by asking one person to support his or her stance. After this person has spoken, other persons with the opposing or similar views may speak with the leader's permission or request. A person may change position on the line at any time as a result of another's argument. No player may remain undecided at the end of the session.
3. The case is closed when all players share the same position or when all views have been expressed and an impasse reached.

(Afterwards, compare your own views regarding the issue with the actual court decision, if known or applicable.)

High School Activities

Students often state that they "know their rights." Do they? Have students make a list of several rights provided them by the Constitution. Then have them find examples of each of these rights being exercised, denied or challenged in one or more days' newspapers. Afterwards, choose some of these items to discuss as a class.

Rights are not always absolute. For example, freedom of speech does not mean you can organize a rally to incite a riot or yell "Bomb!" in a crowded auditorium. Sometimes people test the limits of these rights, and often the Supreme Court and lower courts are called upon to decide the limits of rights. The class might discuss the following: Do neo-Nazis have the right to hold rallies in public places? Should the government put an end to the sale of pornographic publications? Does a local courthouse have the right to display a nativity scene at Christmas time?

As a class, look for newspaper items about people who test or overstep the limits of their rights. Or ask students if they think the print or broadcast media ever stretch the limits of their rights under freedom of the press. Discuss/debate the issues as a class, using real-life examples from the newspaper.

Ask students to discuss how a bill becomes a law, as outlined in the Constitution. Explain that bills have "sponsors" in Congress. Challenge small groups of students to identify several bills currently under consideration. Students should follow the bills' progress by monitoring newspaper articles. After a few weeks, have students write a wrap-up report of the bills' "travels" through the legislative process to date; they should identify the key issues, the bills' sponsors and opponents, and their own positions on the bills.

Ask students to collect editorial cartoons pertaining to constitutional issues, such as handgun control versus the right to bear arms. (Or keep a file of such cartoons yourself, to draw on as needed throughout the year.) Have students choose a cartoon that interests them and explain in writing its message and their own reaction to it. Afterwards, challenge students to create their own editorial cartoon on this or another constitutional issue.

Have students look in the newspaper for examples of the Constitution's built-in system of checks and balances between the three government branches. Examples might be: a presidential veto; the Supreme Court declaring unconstitutional a law passed by Congress; the Senate disapproving a Presidential appointee. Discuss the examples found, as well as the advantages of the checks and balances system itself.

Judicial review is the power of the courts to declare acts of the legislative or executive branches null and void if they violate provisions of the Constitution. All courts may exercise this privilege, with the Supreme Court having the final say regarding the constitutionality of such actions and laws. Have students do research about the principle of judicial review, and how it was established. They also might look for articles in the newspaper of current examples of courts exercising this power. When such examples are found, students might write editorials expressing their own views on the constitutionality of the cases in question.

Legal controversies often center around certain amendments to the Constitution, such as the right to bear arms or the guarantee of a free press, free speech and freedom of religion. Find a current example in the news of a controversy related to an amendment. Have students write an editorial stating their personal feelings about the issue; they should use newspaper accounts as reference materials.

The Equal Rights Amendment—to ensure equality of opportunity regardless of sex—was first proposed in 1972. Even after years of strong lobbying efforts and an extension of the time period in which states could ratify it, the amendment never became part of the U.S. Constitution. Have students write a research paper on the ERA, using old newspaper coverage describing people's stands for and against the amendment. (This information is available through the newspaper's archives or in local library files.) Next, have students write editorials or draw editorial cartoons stating whether they feel the ERA should or should not be part of our Constitution and why.

Assign students one of the landmark cases listed below. Have them do research on the case by using newspaper articles on the subject, available through the local newspaper's archives or in library files. Students should write a report on the case, based on their findings about the controversy and its constitutional relevance. Encourage them to use quotes and other information from old press accounts. The cases:

Gideon v. Wainwright	re: right to counsel
Brown v. Board of Education	re: separate but equal
Furman v. Georgia	re: death penalty
Miranda v. Arizona	re: rights upon arrest

The First Amendment of the Constitution protects the professional media from government censorship, just as it protects the student media from censorship by its "government"—teachers, administrators or school board members. But judges prefer to let school administrators have the last word, except in cases of blatant violations of student rights. Ask students to talk to the editors of their student newspaper. Do the editors feel that they have true free press rights? Why or why not?